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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,222	12/02/2003	Gordon D. Henson	58130US004	3744
32692	7590	04/22/2005	EXAMINER	
3M INNOVATIVE PROPERTIES COMPANY			ALAVI, ALI	
PO BOX 33427			ART UNIT	
ST. PAUL, MN 55133-3427			PAPER NUMBER	
			2875	

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/726,222	<b>Applicant(s)</b> HENSON ET AL.	
	<b>Examiner</b> Ali Alavi	<b>Art Unit</b> 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) 39-60 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-9 and 11-13 is/are rejected.
- 7) ☒ Claim(s) 3,10 and 14-38 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/02/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### DETAILED ACTION

Applicant's response filed on 1/05/05 has been entered. Accordingly, claims 1-38 are being examined because Applicants have elected species I. Claims 39-60 are withdrawn from consideration in this application.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 4-9, and 11-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Hed (US Pat. No 5,301,090).

Regarding claim 1, the applicant is advised that claims have been given their broadest reasonable interpretation. In re Pearson, 181 USPQ 641 (CCPA 1974).

Hed discloses an illumination device, comprising: a plurality of LED dies (red, green, blue, LEDs, col. 11, line 7) to generate optical radiation an interconnect circuit layer to provide electrical connection for the plurality of LED dies (fig. 5) ,a plurality of optical waveguides (77-79, fig. 5), wherein each of the plurality of optical waveguides includes a first end and a second end (fig. 5), wherein each first end is in optical communication with a corresponding LED die of the plurality of LED dies, and an array

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of optical elements (optical interfaces 74-76, fig. 5), wherein each optical element of the array of optical elements is interposed between a corresponding first end of the optical waveguide and the corresponding LED die (fig. 5).

Regarding claim 2, Hed further discloses that the array of optical waveguides comprises a plurality of optical fibers (77-79, col. 11, line 13).

Regarding claim 4, Hed further discloses that the second ends of the plurality of fibers are bundled to form a single light illumination source (70, fig. 5).

Regarding claim 5, Hed further discloses that the second ends of the plurality of fibers are bundled into separate groups to form separate light illumination sources (fig. 6).

Regarding claim 6, Hed further discloses that the array of optical elements comprises an array of passive optical elements (74-76, fig. 5).

Regarding claim 7, Hed further discloses that the array of passive optical elements comprises an array of optical concentrating elements (74-76, fig. 5, col. 11, line 12).

Regarding claim 8, Hed further discloses a projecting element to receive and project optical radiation emanating from the second ends of the plurality of optical waveguides (70, fig. 5).

Regarding claim 9, Hed further discloses that the plurality of optical waveguides comprise a plurality of optical fibers, further comprising: a plurality of optical focusing elements to receive and focus optical radiation emanating from the second ends of the optical fibers (82, fig. 5).

Regarding claim 11, Hed further discloses that each of the first ends comprises a corresponding fiber lens (74-76, fig. 5).

Regarding claim 12, Hed further discloses a waveguide connector to support each of the first ends of the plurality of waveguides (82, fig. 5).

Regarding claim 13, Hed further discloses that the array of optical elements comprises an array of reflectors (col. 12, line 65).

### ***Allowable Subject Matter***

Claims 3, 10, and 14-38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bourn et al (US Pat. No 6,290,382), Reynolds (US Pat. 3,825,335), and Maas et al (US Pat. No 6,402,347) all are cited of interest.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Ali Alavi whose telephone number is (571) 272-2365. The examiner can normally be reached between 7:00 A.M. to 5:30 P.M. Tuesday to Friday. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Sandy O'Shea can be reached at (571) 272-2378 or you may fax your inquiry to the **Central Fax** at (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ali Alavi  
Examiner  
AU 2875